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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/532,777	04/22/2005	Samuel Ejnesman	12430	6673

25570 7590 04/26/2007  
ROBERTS, MLOTKOWSKI & HOBBS  
P. O. BOX 10064  
MCLEAN, VA 22102-8064

EXAMINER
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SAWHNEY, HARGOBIND S

ART UNIT	PAPER NUMBER
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2885

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/26/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/532,777

Applicant(s)

EJNESMAN, SAMUEL

Examiner

Hargobind S. Sawhney

Art Unit

2885

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-16 is/are rejected.
- 7) ☒ Claim(s) 8 and 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/22/2005</u>   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-7 and 9-16 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No.: 1,701,149 (Eha).

Regarding claims 1-3, Eha discloses a lighting system (Figures 1-4) comprising:

- A frame 13 including an open central area (Figure 1 and 4, line 59); a support means 6 for supporting a lamp 7 (Figure 4, lines 49-52); a pair of substantially planar components 8 attachable together for the use by a pair of spaced apart hinges 15'- the combination including elements 10, 13 and 15-17- (Figure 4, lines 62-77); the hinges 10'- the combination including elements 10 and 15 - adapted for rotation of the planar components about the main axis 4,4 – the axis joining the centers of the opposing hinges 10' (Figure); each of the hinges 10' including a fixation means 15 releasably fixing the relative position of the planar components 13 (Figure 4, lines 62-65); extensible shade means 12 (Figure 4, lines 57 and 78); each of the pair of hinges 10' including hinge elements 10 and 15 (Figure 4, lines 62-65); the axel of each of the hinges 10'

including threaded bolt means 15 (Figure 4, lines 62-65); each of the hinge means 10' including threaded portion receiving the bolt means 15, thus applying compressive force to the hinge means 10' (Figure 4, lines 62-65); the threaded portions of element 10 and 15 being adjacent the open central area defined by the planar components 13 (Figure 4); each of the hinges 10' including a pair of non-axial contact surfaces – the surfaces of elements 15 and 17, normal to the axis- in contact with the eye element 14 of the planar component 13 (Figure 4, lines 67-70); each of the contact surfaces of the elements 15 and 17 being between the hinge elements 17 and 10 (Figure 4, lines 67-70); and means 14 able to guide – broadly interpreted as allowing axial movement- the planar components 13 together along the main axis with unthreading the element 15 (Figure 4, lines 57-60).

***Allowable Subject Matter***

3. Claims 8 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art of record, including Eha does not show or suggest the applicant's invention as claimed. Specifically, the prior art of record does not disclose a lighting system combining:

- A pair of hinges each including conical surfaces adapted to be fit one in other, and contacting hinge elements as recited in each of claims 8 and 17.

The above-indicated combination, including a pair of telescopic conical contact surfaces, usable for a lamp hinge, appears unique.

***Conclusion***

***Relevant Prior Art***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gerster et al. (US Patent No.: 5,542,560) and Chantry et al. (US Patent No.: 4,734,837).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hargobind S. Sawhney whose telephone number is 571 272 2380. The examiner can normally be reached on 8:00 AM - 4:30 PM 30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jong-Suk (James) Lee can be reached on 571 272 7044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

Application/Control Number: 10/532,777

Page 5

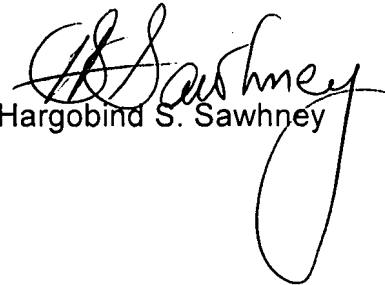
Art Unit: 2885

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HSS

4/23/2007

Examiner:

  
Hargobind S. Sawhney